

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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OFRA LEVIN and ISSAC LEVIN,

Plaintiffs,

-against-

JP MORGAN CHASE BANK, N.A., KEVIN  
McHALE, DATWAN GREEN, BRANDON NORTH  
and MARK T. BREWER,

Defendants.  
-----X

For Online Publication Only

**ORDER**

18-CV-03840 (JMA)(AYS)

**FILED  
CLERK**

3/15/2019 2:34 pm

**U.S. DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
LONG ISLAND OFFICE**

**AZRACK, United States District Judge:**

On July 2, 2018, Defendants removed this action, alleging that this Court had diversity jurisdiction under 28 U.S.C. § 1332(a). However, Plaintiffs have clarified by stipulation that the amount in controversy in this action, including all compensatory and punitive damages, is less than \$75,000. (ECF No. 34.) Accordingly, the Court lacks subject matter jurisdiction over this matter. Plaintiffs' Motion to Remand (ECF No. 16) is thus granted as to their request to remand, and this case is remanded back to the Supreme Court of Nassau County, New York.

With respect to Plaintiffs' request for a Preliminary Injunction "until such time that this motion is decided," (ECF No. 16, at 1), it appears that request is now moot, and is thus denied. In any event, Plaintiffs have failed to show that they face irreparable harm. Finally, the Court denies Plaintiffs' request for sanctions as baseless.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to mail a certified copy of this Order to the Supreme Court of Nassau County, New York. The Clerk of Court is also directed to mail a copy of this Order to the *pro se* plaintiffs at their last known address and to close this case.

**SO ORDERED.**

Dated: March 15, 2019  
Central Islip, New York

\_\_\_\_\_/s/ (JMA)  
Joan M. Azrack  
United States District Judge